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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/539,315	03/30/2000	Kazuhiro Takasao	20000435A	7927

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EXAMINER	
GANTT, ALAN T	
ART UNIT	**PAPER NUMBER**
2684	

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/539,315	TAKASAO ET AL.	
	Examiner	Art Unit	
	Alan T. Gantt	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,24 and 25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,24 and 25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *100300*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

This Office Action represents an Election by the applicant for Group I of a Restriction. Group I encompasses claims 1-7, 24, and 25.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims1-7, 24, and 25 rejected under 35 U.S.C. 102(b) as being anticipated by Martin et al.

Regarding claim 1, Martin discloses an addressable control system for cable television program distribution. This system includes a power control apparatus comprising:

> a distributor having storage means in which transmitter ID signals for identifying transmitters are stored, said distributor comparing a transmitter ID signal which is input through a predetermined communication line in advance of a communication call signal, with the transmitter ID signals stored in the storage means, and outputting a power control signal when the inputted transmitter ID signal matches any of the stored transmitter signals, and connecting the communication line with a predetermined communication apparatus when the inputted transmitter ID signal matches none of the stored transmitter signals; (col. 11, lines 16-35) and

a power control unit for controlling ON or OFF of power to predetermined apparatus which is connected to the distributor, according to the power control signal supplied from the distributor. (col. 11, lines 30-35)

Regarding claim 2, Martin discloses the limitation - The power control apparatus of Claim 1 wherein:

said storage means stores a plurality of transmitter ID signals; (col. 7, lines 1-27)

said distributor outputs to the respective transmitter storage means and match the power control signals corresponding ID signals which are stored in the inputted transmitter ID signals; (col. 7, lines 1-27) and

said power control unit performs control turn ON the power and control to turn OFF the power according to the power control signals supplied from the distributor. (col. 11, lines 30-35)

Regarding claim 3, Martin meets the limitation - The power control apparatus of Claim 2 wherein:

said storage means stores a transmitter ID signal corresponding to a predetermined process of the predetermined apparatus which is subjected to the power ON control or the power OFF control by the power control and when the inputted transmitter TD signal matches the stored transmitter ID signal, said distributor outputs a control signal for instructing the predetermined apparatus perform the predetermined process corresponding to this transmitter signal. (col. 7, lines 1-27 and col. 9, lines 25-39)

Regarding claim 4, Martin meets the limitation - The power control apparatus of Claim 1 wherein:

said distributor provided with count means for counting the communication call time by the communication call signal which is input after the transmitter ID signal through the predetermined communication line; (col. 7, lines 1-27)

said storage means stores a plurality communication call time information; (col. 7, lines 1-27)

when the inputted transmitter ID signal matches any of the stored transmitter ID signals, said distributor compares the result of count by the count means with the communication call time information stored in the storage means, and outputs a power control signal corresponding to the communication call time information which matches the result of count; (col. 7, lines 1-27 and col. 9, lines 25-39) and

said power control unit performs either the power ON control or the power OFF control, according to the power control signal supplied from the distributor. (col. 7, lines 1-27 and col. 9, lines 25-39)

Regarding claim 5, Martin meets the limitation - The power control apparatus of Claim 4 wherein:

said storage means stores communication call time information corresponding to a predetermined process of the predetermined apparatus which subjected to the power ON

or OFF control by the power control apparatus; (col. 7, lines 1-27 and col. 9, lines 25-39) and

when the result of count by the count means matches the communication call time information which corresponds the predetermined process of the predetermined apparatus and is stored storage means, said distributor outputs a control signal for instructing the predetermined apparatus to perform the predetermined process corresponding to this communication call time information. (col. 7, lines 1-27 and col. 9, lines 25-39)

Regarding claim 6, Martin meets the limitation - The power control apparatus of Claim 1 further comprising termination decision means for deciding that the predetermined process of the predetermined apparatus is terminated, and outputting a power control signal to turn OFF the power of the predetermined apparatus, to the power control unit. (col. 9, lines 25-39)

Regarding claim 7, Martin meets the limitation - The power control apparatus of Claim 1 further comprising means capable of managing time, said means outputting either power control signal to turn ON the power or a power control signal to turn OFF the power, to the power control unit, on the basis of a predetermined time setting. (col. 12, lines 3-20)

Regarding claim 24, Martin discloses an addressable control system for cable television program distribution. Martin can be considered as a power state identification apparatus comprising:

storage means in which transmitter ID signals for identifying transmitters are stored; col. 7, lines 1-27)

power state identification means for identifying the power state of a predetermined apparatus and holding the power state; (col. 9, lines 25-39) and

communication cutoff means for cutting communication through a predetermined communication line; (col. 9, lines 25-39)

wherein a transmitter ID signal which input through the predetermined communication line in advance of a call signal is compared with the transmitter ID signals stored in the storage means; when the inputted transmitter ID signal matches any of the stored transmitter ID signals, it is decided whether the power state of the predetermined apparatus a predetermined state or not on the basis of the power state information held in the power state identification means; (col. 7, lines 1-27 and col. 9, lines 25-39)

when the predetermined apparatus is in the predetermined power state, the communication through the communication line is cut off by the communication cutoff means; on the other hand, when the inputted transmitter ID signal matches none of the stored transmitter ID signals, the communication line connected with a predetermined communication apparatus.(col. 11, lines 10-35)

Regarding claim 25, Martin discloses an addressable control system for cable television program distribution. Martin can be considered as a power state identification storage identifying apparatus comprising:

means which transmitter ID signals for transmitters are stored; (col. 7, lines 1-27)

power state identification means for identifying the power apparatus and holding this state of a predetermined identification information; (col. 9, lines 25-39)

counting means for counting the call time of a communication call signal which is input subsequently to the transmitter ID signal through the predetermined communication line; (col. 7, lines 1-27 and col. 11, lines 10-35) and

communication cutoff means for cutting communication through the predetermined communication line; (col. 7, lines 1-27 and col. 11, lines 10-35)

wherein a transmitter ID signal which is input through the predetermined communication line is compared with the transmitter ID signals stored in the storage means; (col. 7, lines 1-27 and col. 11, lines 10-35)

when the inputted transmitter ID signal matches any of the stored transmitter ID signals, the power state of the predetermined apparatus power state information held in the decided on the basis of the power state identification means, and the communication call signal is counted by the counting means; (col. 7, lines 1-27 and col. 11, lines 10-35)

when the call time being counted reaches a predetermined time, the communication is cut off by using the communication cutoff means; (col. 7, lines 1-27)

on the other hand, when the inputted transmitter ID signal matches none of the stored transmitter ID signals, the communication line is connected with a predetermined communication apparatus. (col. 11, lines 10-34)

Conclusion

Any inquiry concerning this communication from the examiner should be addressed to Alan Gantt at telephone number (703) 305-0077. The examiner can normally be reached between 9:30 AM and 6 PM within the Eastern Time Zone. The group FAX number is (703) 872-9306.

Any inquiry of a general nature or relating to this application should be directed to the group receptionist at telephone number (703) 305-4700.

Alan T. Gantt

December 23, 2004

NICK CORSARO
PRIMARY EXAMINER